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7						
8	UNITED STATES OF AMERICA					
9	NATIONAL LABOR RELATIONS BOARD					
10	REGION 20					
11	STEVENS CREEK CHRYSLER JEEP DODGE, INC. Employer,			) Case No.	20-CA-33367, et al.	
12				) CHARGING PARTY'S EXCEPTIONS TO THE SUPPLEMENTAL DECISION OF		
13	v.	;	) ADMINISTRATIVE LAW JUDGE JAY ) R. POLLACK			
14			CE 100	) )	7	
15	MACHINISTS DISTRICT LODGE 190, MACHINISTS AUTOMOTIVE LOCAL 1101, INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPECE WORKERS OF AMERICA, AFL-CIO )					
16						
17				) )		
18	Charging Party.			) )		
19	Exception 1	P. 2:18-22	The failure of closure.	the ALJ to find	I that Zaheri made a threat of	
20	E	D 2.24		C41 AT T414 T	)1 - ? - 1; - 1	
21			d productivity i	Rocha's discharge was for ssues.		
22	Exception 3	P. 3:5-8		the ALJ to make improper reason	ke a finding that Rocha was	
23	Exception A	P. 4:5-7	C			
24	Exception 4 P. 4:5-7		The ALJ's finding that "Significantly, however, no employee lost employment as a result of the Respondent's unfair labor practices." <i>Citation omitted</i> .			
25	Exception 5	P. 4:7	•		afair labor practices do not alone	
26	Exception 5	I. 1./		The ALJ's finding that the unfair labor practices do not alone support the issuance of a <i>Gissel</i> bargaining order.		
27				e of the ALJ to find violations of 8(a)(5) for the gain and provide the Union with requested		
28 ger &	information.					
poration Parkway	CHARCING DAT	TVIC EVCEDITIONS	TO THE CLIDDLE	MENTAL DECIC	TON OF ADMINISTRATIVE LAW	

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1	Exception 7	P. 4:44-46	The failure of the ALJ to require the employer to read the notice.				
2							
3	The Charging Party joins in the exceptions filed the General Counsel.						
4	Dated: August	26, 2009					
5 6			WEINBERG, ROGER & ROSENFELD A Professional Corporation				
7			By: /s/ Caren P. Sencer				
8			DAVID A. ROSENFELD CAREN P. SENCER				
9	115843/539652		Attorneys for Charging Party				
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## PROOF OF SERVICE 1 (CCP 1013) 2 3 I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business 4 address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On August 5 26, 2009, I served upon the following parties in this action: 6 7 David Reeves Daniel T. Berkley National Labor Relations Board, Gordon & Rees LLP 8 Region 20 Attorneys at Law 9 901 Market Street, Suite 400 Embarcadero Center West San Francisco, CA 94103-1735 275 Battery Street, Suite 2000 10 San Francisco, CA 94111 Fax: (415) 356-5156 11 Fax: (415) 986-8054 12 **Executive Secretary** National Labor Relations Board 13 1099 - 14th Street, N.W. Washington, DC 20570-0001 14 \*E-Filed 15 copies of the document(s) described as: 16 CHARGING PARTY'S EXCEPTIONS TO THE SUPPLEMENTAL DECISION OF ADMINISTRATIVE LAW JUDGE JAY R. POLLACK 17 [X]**BY MAIL** I placed a true copy of each document listed herein in a sealed envelope, 18 addressed as indicated herein, and caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Alameda, California. I am readily familiar 19 with the practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail 20 is deposited in the United States Postal Service the same day as it is placed for collection. 21 **BY FACSIMILE** I caused to be transmitted each document listed herein via the fax [X]number(s) listed above or on the attached service list. 22 I certify under penalty of perjury that the above is true and correct. Executed at Alameda, 23 California, on August 26, 2009. 24 /s/ Jennifer Koffler 25 Jennifer Koffler 26

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